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IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

OFELIA COLOYAN, )  
Plaintiff, ) CIVIL NO. CV03-476 KSC  
vs. )  
WILLIAM P. BADUA; JEFFREY OMAI; )  
SPENCER ANDERSON; NEIL PANG; and )  
DOES 5-10, )  
Defendants. )

DEPOSITION OF STEVEN LUM, M.D.

Taken on behalf of the Defendants at 30 Aulike Street,  
Suite 303, Kailua, Hawaii, commencing at 5:20 p.m. on  
January 13, 2006, pursuant to the Federal Rules of Civil  
Procedure.

BEFORE: SHEILA BRITT LIPTON, CSR NO. 257  
Notary Public, State of Hawaii

H O N O R A B L E R E P O R T I N G U F R V T C E

1000 Bishop Street, Suite 401  
Honolulu, Hawaii 96813

(808) 524-6288

1 A. That's correct.

2 Q. I'm not sure you're aware, but trial in this  
3 matter is set for March 14 of this year, in a couple of  
4 months. Do you anticipate being in town during that  
5 period of time?

6 A. I should be in town.

7 Q. What is your understanding of what you're going  
8 to be testifying at trial?

9 A. I'm not sure.

10 Q. Have you been hired by Mrs. Coloyan's attorney,  
11 Jack Schweigert, to be a witness in this case?

12 A. Not that I know of.

13 MR. ROSS: What do you mean hired?

14 MS. KAWAI: Retained, hired.

15 MR. ROSS: Okay.

16 BY MS. KAWAI:

17 Q. So just to confirm, there's no contract or  
18 agreement between you and Mr. Schweigert with regards to  
19 this matter?

20 A. No, never met him.

21 Q. You say you've never met him. So you have never  
22 spoken to him over the phone?

23 A. I may have talked to him over the phone, but that  
24 was it.

25 Q. And how many times have you spoken to him over

1 the phone?

2 A. I believe once.

3 Q. And what did you speak about?

4 A. Just sending him the record. And whether I was  
5 her physician.

6 Q. I just want to confirm you've never conducted any  
7 kind of independent examination of Mrs. Coloyan with  
8 regard to this lawsuit?

9 A. No.

10 Q. And you haven't issued any pertinent --

11 MR. ROSS: That question is a little confusing.  
12 He has rendered the personal service to that lady.

13 MS. KAWAI: I understand that. But what I'm  
14 asking specifically, has he rendered a specific report  
15 directed at this particular lawsuit, so pertaining to this  
16 particular lawsuit.

17 THE WITNESS: Correct. I haven't done an IME,  
18 and I have not rendered a report.

19 Q. So let's just go over your background. What's  
20 your current occupation?

21 A. Physician.

22 Q. And who is your current employer?

23 A. Myself.

24 Q. So you are self-employed?

25 A. Uh-huh.